

S.N. 10/040,585  
Wilfred Brake et al.  
Atty Dkt 10016219-1

REMARKS

Claims 1-18 were pending in the application prior to this response.  
Claims 1 and 18 have been amended herein. Claims 2-17 remain in the application unchanged. Reexamination and reconsideration are requested.

S.N. 10/040,585  
Wilfred Brake et al.  
Atty Dkt 10016219-1

## I. Legal Basis for Prior Art Claim Rejections Made in the Office

### Action

#### Legal Basis for Claim Rejection Under 35 U.S.C. §102

The standard for lack of novelty, that is, for "anticipation," under 35 U.S.C. 102 is one of strict identity. To anticipate a claim for a patent, a single prior source must contain all its essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 231 USPQ 81, 90 (Fed. Cir. 1986).

S.N. 10/040,585  
Wilfred Brake et al.  
Atty Dkt 10016219-1

**II. Objection to the Title**

In paragraph 1 of the Office action, the Examiner indicates that the title of the invention is not descriptive and requires that a new title be provided. In response to the Examiner's objection, applicants have herein amended the title to read:

**Camera with Time-Dependent Feature and Related Methodology**

It is believed that this amended title is more descriptive of the invention as claimed.

S.N. 10/040,585  
Wilfried Brake et al.  
Atty Dkt 10016219-1

**III. Rejection of Claims 1-18 under 35 U.S.C. §102(b)**

Claims 1-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by Mann et al. (U.S. Patent No. 5,621,458). Reexamination and reconsideration of the Examiner's rejection are requested.

**Claims 1-11**

Applicants' Claim 1, as amended herein, recites the following:

A camera comprising:  
a camera body; and  
an alarm clock at least partially located within said camera body  
and operably associated with said camera body.

Mann et al. discloses a docking unit 100 (e.g., Fig. 1) that is capable of interacting with a camcorder 200. The docking unit includes a connector 108 for supplying DC power to the camcorder and also a connector 109 for receiving audio/video output from the camcorder 200. The docking unit 100 is also connected to a monitor 400 (e.g., a conventional television screen).

The Examiner asserts that Mann et al. discloses an alarm clock and points to col. 6, lines 5-9 of the reference in support of this assertion. This portion of Mann et al. is reproduced below:

The advantageous alarm clock may be used to initiate recording by the camcorder or to control other devices capable of remote control, for example, by IR transmitter 117. The generation of alerting or salutary displays and the control of remote devices are user selectable. However, warnings may not be defeated and are always indicated by

S.N. 10/040,585  
Wilfred Brake et al.  
Atty Dkt 10016219-1

message waiting indicator 107 and display 115.

Although, as correctly pointed out by the Examiner, Mann et al. does disclose an alarm clock, this alarm clock is located *within the docking unit 100 and not within the camcorder 200*. This is clear from a reading of the Mann et al. specification. The Examiner's attention is directed, for example, to the following passage from Mann et al.:

The control and docking system may be manually operated, however, automated sequence initiation is facilitated based on events stored and accessed by an advantageous calendar algorithm resident in **memory 121**. The microprocessor maintains a real time clock calendar function which is referenced to a quartz crystal oscillator X1. The real time clock generates both hours, minutes, seconds, and day, month, year, identifying data. The clock may be set manually to synchronize both time of day and the calendar date. However, it is known that such a real time clock may also be synchronized by reception of a suitable broadcast time reference, for example, as broadcast by the Public Broadcasting System.

(col 2, line 67 - col. 3, line 11, emphasis added)

Clearly, thus, the calendar algorithm used for the alarm function in Mann et al. is stored in the memory 121 which, with reference to Fig. 3, is part of the docking unit 100 and not the camera 200.

Applicants' claim 1, however, recites a "camera ... comprising: ... an alarm clock ...." (emphasis added). As discussed above, Mann et al. does not disclose a camera comprising an alarm clock but, rather, a docking unit comprising an alarm clock. Accordingly, claim 1 is not anticipated by Mann et al. As previously pointed out, to anticipate a claim for a patent, a single prior source must contain all its essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 231 USPQ 81, 90 (Fed. Cir. 1986).

In an effort to clarify the differences between claim 1 and the Mann et

S.N. 10/040,585  
Wilfred Brake et al.  
Atty Dkt 10016219-1

al. reference, as discussed above, applicants have amended claim 1 herein as follows:

A camera comprising:  
a camera body; and  
an alarm clock at least partially located within said camera body  
and operably associated with said camera body.

Claim 1, as amended, further specifies that the alarm clock is located at least partially within the camera body. This is clearly not the case in Mann et al.

Claims 2-11 are allowable at least as depending from allowable base claim 1.

#### Claims 12 - 16

Applicants' claim 12 recites the following:

A method of providing notification of the occurrence of a time of day comprising:  
inputting data representative of a selected time of day into a camera; and  
upon occurrence of said selected time of day, actuating a camera subsystem.

As noted above, with respect to the rejection of claim 1, although Mann

S.N. 10/040,585  
Wilfred Brake et al.  
Atty Dkt 10016218-1

et al. discloses an alarm clock in a docking unit 100, Mann et al. does not disclose an alarm clock within a camera. Accordingly, Mann et al. does not disclose or suggest, for example, "inputting data representative of a selected time of day into a camera" as recited in claim 12.

Claims 13-16 are allowable at least as depending from allowable base claim 12.

#### Claim 17

Applicants' claim 17 recites the following:

A method of constructing a camera comprising:  
mounting an image assembly in a camera housing; and  
mounting an alarm clock in said camera housing.

As noted above, with respect to the rejection of claim 1, Mann et al. does not disclose an alarm clock in a camera. Accordingly, Mann et al. does not disclose or suggest, for example, "mounting an alarm clock in said camera housing" as recited in claim 17.

#### Claim 18

Applicants' claim 18 recites the following:

A camera comprising:  
means for capturing an image of an object;

Page 12 of 13

S.N. 10/040,585  
Wilfred Brake et al.  
Atty Dkt 10016219-1

means for selecting a time of day; and  
means, at least partially located within said camera, for actuating  
at least one camera subsystem at the occurrence of said selected time  
of day.

Claim 18 has been amended herein as indicated above. Claim 18 is  
allowable for at least the reasons advanced above with respect to claim 1.

In view of the above, all of the claims are now believed to be in  
condition for allowance. Re-examination and reconsideration are requested.

Respectfully submitted,  
KLAAS, LAW, O'MEARA & MALKIN, P.C.

By

Michael A. Goodwin, Reg. No. 32,697  
KLAAS, LAW, O'MEARA & MALKIN, P.C.  
1999 Broadway, Suite 2225  
Denver, CO 80202  
Telephone: (303) 298-9888  
Fax: (303) 297-2266  
Date: February 23, 2005

Page 13 of 13